

KEEGAN, WERLIN & PABIAN, LLP

ATTORNEYS AT LAW
265 FRANKLIN STREET
BOSTON, MASSACHUSETTS 02110-3113

(617) 951-1400

TELECOPIERS:
(617) 951-1354
(617) 951-0586

DAVID S. ROSENZWEIG
E-mail: drosen@kwplaw.com

March 23, 2004

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, Massachusetts 02110

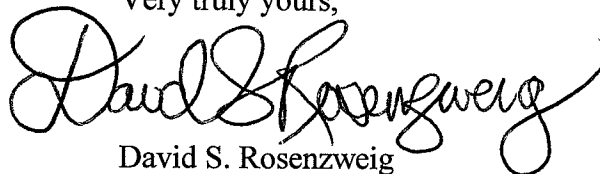
Re: D.T.E. 03-121, NSTAR Electric Standby Rate Tariffs

Dear Secretary Cottrell:

Enclosed for filing please find an original and thirteen (13) copies of the NSTAR Electric Motion To Strike First Set of Information Requests of Conservation Law Foundation to the Solar Energy Business Association Of New England.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, reading "David S. Rosenzweig". The signature is fluid and cursive, with the first name "David" being the most prominent.

David S. Rosenzweig

Enclosures

cc: William Stevens, Hearing Officer
John Cope-Flanagan, Hearing Officer
Service List

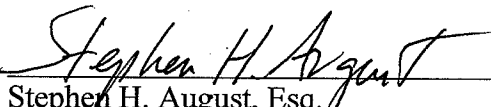
**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

_____)	
Boston Edison Company)	
Cambridge Electric Light Company)	
Commonwealth Electric Company)	
d/b/a NSTAR Electric)	
_____)	

D.T.E. 03-121

CERTIFICATE OF SERVICE

I certify that I have this day served the foregoing documents upon the service list
in the above-docketed proceeding in accordance with the requirements of 220 C.M.R.
1.05.



Stephen H. August, Esq.
Keegan, Werlin & Pabian, LLP
265 Franklin Street
Boston, MA 02110
(617) 951-1400

Dated: March 23, 2004

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Boston Edison Company)	
Cambridge Electric Light Company)	
Commonwealth Electric Company)	
d/b/a NSTAR Electric)	

D.T.E. 03-121

**NSTAR ELECTRIC MOTION TO STRIKE FIRST SET OF INFORMATION
REQUESTS OF CONSERVATION LAW FOUNDATION TO THE SOLAR
ENERGY BUSINESS ASSOCIATION OF NEW ENGLAND**

On March 22, 2004, Conservation Law Foundation ("CLF") submitted its First Set of Information Requests to the Solar Energy Business Association of New England ("SEBANE") in the above-captioned proceeding (the "CLF Discovery"). NSTAR Electric moves to strike the CLF Discovery because it provides an unfair and inappropriate opportunity for SEBANE and CLF to provide "friendly" and untimely additional direct testimony after the deadline for filing intervenor direct testimony in this case has expired (i.e., March 16, 2004). CLF has itself sponsored three witnesses, Thomas S. Michelman, Mark B. Lively and David Hannus, one of whom testified on behalf of both CLF and SEBANE – Thomas S. Michelman. CLF and SEBANE should not be permitted now to supplement their own testimony by asking each other information requests through the process of discovery.¹ Just as "friendly" cross-examination should not occur between two parties on the same side of an issue,

¹ It bears noting that CLF did not issue any discovery to NSTAR Electric during the entire discovery phase of NSTAR Electric's direct case. Instead, CLF has chosen to issue its first discovery questions to a witness offered by one of its co-parties for the purpose of buttressing their combined case.

“friendly” discovery should not be permitted to supplement pre-filed direct intervenor testimony through a second friendly intervenor. Here, in particular, where the five questions posed by CLF are so obviously geared toward elucidating further direct testimony from Mr. Greene on topics not addressed in his pre-filed materials, the CLF Discovery is not truly discovery; rather, it represents supplemental direct testimony in contravention of the established procedural schedule.

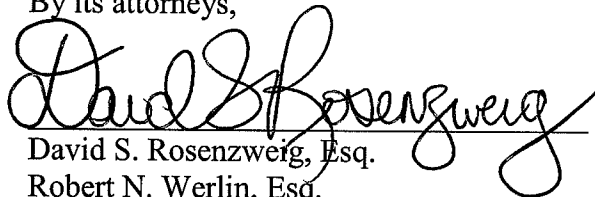
As described above, CLF and SEBANE worked together to develop their pre-filed direct intervenor testimony. If CLF and SEBANE wanted to address additional issues in their direct testimony, the procedural schedule allowed for this through jointly sponsored testimony submitted on a timely basis. However, the Department should not allow the discovery and procedural process to be abused for the purpose of circumventing the deadlines imposed by the procedural schedule in this case.

Accordingly, NSTAR respectfully requests that the Department strike the CLF Discovery to SEBANE in this proceeding.

Respectfully submitted,

**Boston Edison Company
Cambridge Electric Light Company
Commonwealth Electric Company
d/b/a NSTAR Electric**

By its attorneys,

A handwritten signature in black ink, appearing to read "David S. Rosenzweig", is written over a horizontal line.

David S. Rosenzweig, Esq.

Robert N. Werlin, Esq.

Stephen H. August, Esq.

Keegan, Werlin & Pabian, LLP

265 Franklin Street

Boston, MA 02110

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Dated: March 23, 2004